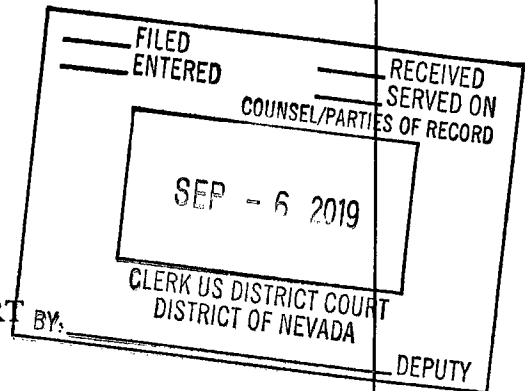


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8 Attorney for Defendant
9 DANIEL NATHAN

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12 ***



13 UNITED STATES OF AMERICA,)

2:19-mj-00368- VCF

14 Plaintiff,)

ORDER

15 v.)

~~STIPULATION~~ AND ORDER TO
CONTINUE PRELIMINARY
EXAMINATION

16 DANIEL NATHAN,)

(THIRD REQUEST)

17 Defendant.)

18 IT IS HEREBY STIPULATED by and between DANIEL NATHAN, Defendant, by and
19 through his counsel MICHAEL J MICELI, ESQ, and the United States of America, ROBERT
20 KNIEF, Assistant United States Attorney, that the preliminary examination hearing currently
21 scheduled for September 6, 2019 at 4:00 p.m., be vacated and reset to a date and time convenient
22 to the Court but no sooner than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. Counsel has spoken to the Defendant and he has no objections to the continuance.
- 25 2. Defendant is not currently incarcerated and on Pretrial Release.
- 26 3. The parties need additional time to discuss potential pre-indictment resolutions that
27 may obviate the need to proceed with the preliminary hearing.
28

1 4. The parties need a continuance to review discovery and discuss possible defendse and
2 otherwise prepare for the preliminary hearing.

3 5. Additionally, denial of this request for continuance would result in a miscarriage of
4 justice.
5

6 6. This is the second request for a continuance of the preliminary.

7 DATED this 5th day of September 2019.
8

9
10 PITARO & FUMO, CHTD.

NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

11
12
13 /s/
14 MICHAEL J. MICELI, ESQ.
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ATTORNEY FOR DEFENDANT
ROOSEVELT JONES

/s/
ROBERT KNIEF, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
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LAS VEGAS, NEVADA 89101

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

2:19-mj-00368- VCF

Plaintiff,

v.

DANIEL NATHAN,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not currently incarcerated and on Pretrial Release.
3. The parties need additional time to discuss potential pre-indictment resolutions that may obviate the need to proceed with the preliminary hearing.
4. The parties need a continuance to review discovery and discuss possible defense and otherwise prepare for the preliminary hearing.
5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
6. This is the second request for a continuance of the preliminary.

ORDER

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy preliminary hearing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for a preliminary hearing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the preliminary examination in the above captioned matter currently scheduled for September 6, 2019 at 4:00 p.m., be vacated and continued to November 12, 2019, at 4:00 p.m.

DATED this 6th of September, 2019.



~~U.S. DISTRICT JUDGE~~

CAM FERENBACH
U.S. MAGISTRATE JUDGE